

AMENDED IN SENATE JUNE 23, 1999
AMENDED IN ASSEMBLY APRIL 26, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1499

Introduced by Assembly Member ~~Lowenthal~~ Members
Lowenthal and Shelley

(Coauthors: Assembly Members Aroner, Calderon,
Firebaugh, Jackson, Keeley, Knox, Kuehl, Machado,
Romero, Strom-Martin, Washington, and Wildman)

February 26, 1999

An act to add Section 15655 to the Welfare and Institutions Code, relating to human services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1499, as amended, Lowenthal. Elder and dependent abuse reporting: training.

Existing law requires mandated reporters to report instances of abuse of elder or dependent adults.

This bill would specify that long-term *health* care facilities, *community care facilities, and other nonmedical out-of-home care facilities that provide care to adults* shall provide training to their staff in recognizing and reporting elder and dependent adult abuse.

~~This bill would require each nursing home to send written notice of compliance to the State Department of Health Services and would specify that any nursing home that does not train its staff in those duties shall report to the State~~

~~Department of Health Services the reasons why the training has not been provided. The bill would require each facility to send written notice of compliance to the State Department of Social Services and would specify that any community care facility, residential care facility, or nonmedical out-of-home care facility that does not train its staff in the duties shall report to the State Department of Social Services the reasons why the training has not been provided.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 15655 is added to the Welfare
2 and Institutions Code, to read:
3 15655. (a) (1) Each ~~nursing home, community care~~
4 ~~facility, residential care facility~~ *long-term health care*
5 *facility, as defined in Section 1418 of the Health and Safety*
6 *Code, community care facility, as defined in Section 1502*
7 *of the Health and Safety Code, or any other nonmedical*
8 *out-of-home care facility that provides care to adults* shall
9 provide training in recognizing and reporting elder and
10 dependent *adult* abuse, as prescribed by the Department
11 of Justice. The Department of Justice shall, in cooperation
12 with the State Department of Health Services and the
13 State Department of Social Services, ~~approve the training~~
14 ~~course~~ *develop a minimal core training program for use*
15 *by these facilities.* As part of that training, long-term care
16 facilities, including nursing homes and out-of-home care
17 facilities, shall provide to all staff being trained a written
18 copy of the reporting requirements and a written
19 notification of the staff's confidentiality rights.
20 (2) Compliance with paragraph (1) shall be
21 completed by January 1, 2001, or, if the facility begins
22 operation after July 31, 2000, within six months of the date
23 of the beginning of the operation of the facility.
24 ~~(b) Each nursing home, as defined in Section 1250 of~~
25 ~~the Health and Safety Code shall send written notice of~~
26 ~~compliance with subdivision (a) to the State Department~~
27 ~~of Health Services. Any nursing home, as defined in~~

~~Section 1250 of the Health and Safety, that does not train its staff in the duties imposed under this chapter shall report to the State Department of Health Services the reasons why the training has not been provided, as required by subdivision (a).~~

(b) Each long-term health care facility, as defined in Section 1418 of the Health and Safety Code, shall be subject to review by the State Department of Health Services Licensing and Certification Unit for compliance with the duties imposed in subdivision (a).

~~(c) Each community care facility, residential care facility as defined in Section 1502 of the Health and Safety Code, or nonmedical out-of-home care facility shall send written notice of compliance with subdivision (a) to the State Department of Social Services. Any community care facility, residential care facility, or nonmedical out-of-home care facility that does not train its staff in the duties imposed under this chapter shall report to the State Department of Social Services the reasons why the training has not been provided as required by subdivision (a).~~ *be subject to review by the State Department of Social Services Community Care Licensing Unit for compliance with the duties imposed in subdivision (a).*